DOCUMENT RESUME

ED 168 142 EA 011 416

TITLE Summary of Major Legislative Action of the Committee on Education and Labor. (Committee Print.)
INSTITUTION Congress of the U.S., Washington, D.C. House Committee on Education and Labor.
PUB DATE Nov 78
NOTE 38p.; Not available in paper copy due to small print of original document; Pages IV-VII may be illegible

EDRS PRICE MF01 Plus Postage. PC Not Available from EDRS.
DESCRIPTORS *Educational Legislation; Elementary Secondary Education; *Federal Legislation; Higher Education

ABSTRACT

This summary of the major legislative action of the House Committee on Education and Labor provides brief descriptions of legislation covering such topics as alcohol and drug abuse, black lung benefits, education of the handicapped, higher education, student assistance, sex discrimination based on pregnancy, and juvenile justice. (IRT)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED168142

[COMMITTEE PRINT]

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

SUMMARY OF MAJOR LEGISLATIVE ACTION OF THE COMMITTEE ON EDUCATION AND LABOR U.S. HOUSE OF REPRESENTATIVES 95TH CONGRESS

NOVEMBER 1978

Printed for the use of the Committee on Education and Labor
CARL D. PERKINS, *Chairman*

U.S. GOVERNMENT PRINTING OFFICE
35-449 O WASHINGTON : 1978

EA 011 416

COMMITTEE ON EDUCATION AND LABOR

CARL D. PERKINS, Kentucky, *Chairman*

FRANK THOMPSON, JR., New Jersey
JOHN H. DENT, Pennsylvania
JOHN BRADEMAS, Indiana
AUGUSTUS F. HAWKINS, California
WILLIAM D. FORD, Michigan
PHILLIP BURTON, California
JOSEPH M. GAYDOS, Pennsylvania
WILLIAM "BILL" CLAY, Missouri
MARIO BIAGGI, New York
IKE ANDREWS, North Carolina
MICHAEL T. BLOUIN, Iowa
ROBERT J. CORNELL, Wisconsin
PAUL SIMON, Illinois
EDWARD P. BEARD, Rhode Island
LEO C. ZEFERETTI, New York
GEORGE MILLER, California
RONALD M. MOTTL, Ohio
MICHAEL O. MYERS, Pennsylvania
AUSTIN J. MURPHY, Pennsylvania
JOSEPH A. LEFANTE, New Jersey
TED WEISS, New York
CEC HEFTEL, Hawaii
BALTASAR CORRADA, Puerto Rico
DALE E. KILDEE, Michigan

ALBERT H. QUIE, Minnesota
JOHN M. ASHBROOK, Ohio
JOHN N. ERLENBORN, Illinois
RONALD A. SARASIN, Connecticut
JOHN BUCHANAN, Alabama
JAMES M. JEFFORDS, Vermont
LARRY PRESSLER, South Dakota
WILLIAM F. GOODLING, Pennsylvania
BUD SHUSTER, Pennsylvania
SHIRLEY N. PETTIS, California
CARL D. PURSELL, Michigan
MICKEY EDWARDS, Oklahoma

CONTENTS

	Page
Age discrimination amendments	1
Alcohol and Drug Abuse Education Act Amendments of 1978	2
Black Lung Benefits Reform Act of 1977	2
Career Education Incentive Act	4
Child Abuse Prevention and Treatment and Adoption Reform Act of 1978	5
Comprehensive Employment and Training Act amendments	6
Comprehensive Older Americans Act Amendments of 1978	9
Domestic Violence Assistance Act of 1978	11
Domestic Volunteer Service Amendments of 1978	11
Economic Opportunity Amendments of 1978	11
Education of the Handicapped Amendments of 1977	12
Elementary and Secondary Education Amendments	13
Employee Retirement Income Security amendments	16
Environmental Education Act amendments	17
Fair Labor Standards Amendments of 1977	17
Federal Mine Safety and Health Act of 1977	18
Full Employment and Balanced Growth Act of 1978	18
Higher education technical amendments	19
Hubert H. Humphrey Institute of Public Affairs and the Everett McKinley Dirksen Congressional Leadership Research Center Assistance Act	20
Juvenile Justice Amendments of 1977	20
Library Services and Construction Act Amendments of 1977	21
Middle Income Student Assistance Act	21
National Labor Relations Act amendments	22
National School Lunch and Child Nutrition Act amendments	23
Objection to consolidating certain education advisory councils	24
Prohibition of sex discrimination based on pregnancy	25
Rehabilitation, Comprehensive Services and Developmental Disabilities Amendments of 1978	25
Tribally Controlled Community College Assistance Act of 1978	27
Vocational education technical amendments	28
White House Conferences on the Arts and the Humanities	28
Youth Camp Safety Act	29
Youth Employment and Demonstration Projects Act of 1977	29
Bills and resolutions reported by committee	IV

BILLS AND RESOLUTIONS REPORTED BY COMMITTEE

Number and date of introduction	Sponsor	Title	Reported by committee	Passed House	Passed Senate	Approved by President	Public Law
H.R. 7, Jan. 4, 1977	Mr. Perkins, for himself and others.	Career Education Incentive Act	Mar. 31, 1977 (H. Rept. 95-150).	Apr. 5, 1977 (Conf. Rept. 95-816) Nov. 29, 1977.	Oct. 20, 1977 (Conf. Rept. Nov. 22, 1977).	Dec. 13, 1977	95-207.
H.R. 15, Jan. 4, 1977	Mr. Perkins	Education Amendments of 1978	May 11, 1978 (H. Rept. 95-1137).	July 13, 1978 (Conf. Rept. 95-1753) Oct. 15, 1978.	Aug. 24, 1978 (Conf. Rept. Oct. 12, 1978).	Nov. 1, 1978	95-561.
H.R. 50, Jan. 4, 1977	Mr. Hawkins, for himself and Mr. Perkins.	Full Employment and Balanced Growth Act of 1978	Feb. 22, 1978 (H. Rept. 95-895)	Mar. 16, 1978	Oct. 13, 1978	Oct. 27, 1978	95-523.
H.R. 1139, Jan. 4, 1977	Mr. Perkins	National School Lunch and Child Nutrition Act Amendments of 1977.	May 10, 1977 (H. Rept. 95-281).	May 18, 1977 (Conf. Rept. 95-708) Oct. 27, 1977.	June 30, 1977 (Conf. Rept. Oct. 28, 1977).	Nov. 10, 1977	95-166.
H.R. 2222, Jan. 19, 1977	Mr. Thompson, for himself and others.	To amend the National Labor Relations Act to clarify the scope of its coverage.	Mar. 16, 1978 (H. Rept. 95-980).				
H.R. 2992, Feb. 2, 1977	Mr. Hawkins	Comprehensive Employment and Training Act Amendments of 1977.	Mar. 28, 1977 (H. Rept. 95-123)	Mar. 29, 1977	May 25, 1977	June 15, 1977	95-44.
H.R. 3384, Feb. 9, 1977	Mr. Thompson	To amend the National Labor Relations Act to provide that any employee who is a member of a religion or sect historically holding conscientious objection to joining or financially supporting a labor organization shall not be required to do so.	Oct. 27, 1977 (H. Rept. 95-768).	Nov. 1, 1977			
H.R. 3437, Feb. 9, 1977	Mr. Perkins, for himself and Mr. Quie.	To make certain technical and miscellaneous amendments to provisions relating to vocational education contained in the Education Amendments of 1976.	Mar. 17, 1977 (H. Rept. 95-86).	Mar. 22, 1977	May 16, 1977	June 3, 1977	95-40.
H.R. 3712, Feb. 21, 1977 (S. 602 [1]).	Mr. Brademas, for himself and others.	Library Services and Construction Act Amendments of 1977.	Mar. 18, 1977 (H. Rept. 95-97).	Mar. 21, 1977 (Conf. Rept. 95-607) Sept. 23, 1977.	May 20, 1977 (Conf. Rept. Sept. 20, 1977).	Oct. 7, 1977	95-123.

H.R. 3744, Feb. 22, 1977	Mr. Dent	Fair Labor Standards Amendments of 1977	July 22, 1977 (H. Rept. 95-521).	Sept. 15, 1977 (Conf. Rept. 95-711) Oct. 20, 1977.	Oct. 7, 1977 (Conf. Rept. Oct. 19. 1977).	Nov. 1, 1977	95-151.
H.R. 4250, Mar. 2, 1977	Mr. Thompson	To protect the economic rights of labor in the building and construction industry by providing for equal treatment of craft and industrial workers and to establish collective bargaining procedures in the construction industry.	Mar. 18, 1977 (H. Rept. 95-96).	Failed to pass Mar. 23, 1977.			
H.R. 4287, Mar. 2, 1977 (S. 717 [1]).	Mr. Gaydos, for himself and Mr. Dent.	Federal Mine Safety and Health Act of 1977	May 13, 1977 (H. Rept. 95-312).	July 15, 1977 (Conf. Rept. 95-655) Oct. 27, 1977.	June 21, 1977 (Conf. Rept. Oct. 6, 1977).	Nov. 9, 1977	95-164.
H.R. 4544, Mar. 7, 1977	Mr. Dent, for himself and Mr. Perkins.	Black Lung Benefits Reform Act of 1977	Mar. 31, 1977 (H. Rept. 95-151).	Sept. 19, 1977 (Conf. Rept. 95-864) Feb. 15, 1978.	Sept. 20, 1977 (Conf. Rept. Feb. 6, 1978).	Mar. 1, 1978	95-239.
H.R. 5383, Mar. 22, 1977	Mr. Pepper, for himself and Mr. Findley.	Age Discrimination in Employment Act Amendments of 1978.	July 25, 1977 (H. Rept. 95-527).	Sept. 23, 1977 (Conf. Rept. 95-950) Mar. 21, 1978.	Oct. 19, 1977 (Conf. Rept. Mar. 23, 1978).	Apr. 6, 1978	95-256.
H.R. 6075, Apr. 5, 1977 (S. 995 [1]).	Mr. Hawkins, for himself and others.	To amend title VII of the Civil Rights Act of 1964 to prohibit sex discrimination on the basis of pregnancy.	Mar. 13, 1978 (H. Rept. 95-948).	July 18, 1978 (Conf. Rept. 95-1786). Oct. 15, 1978.	Sept. 16, 1977 (Conf. Rept. Oct. 13, 1978).	Oct. 31, 1978	95-555.
H.R. 6111, Apr. 6, 1977	Mr. Andrews of North Carolina, for himself and Mr. Perkins.	Juvenile Justice Amendments of 1977	May13, 1977 (H. Rept. 95-313).	May 19, 1977 (Conf. Rept. 95-542) Sept. 23, 1977.	June 21, 1977 (Conf. Rept. July 28, 1977).	Oct. 3, 1977	95-115.
H.R. 6138, Apr. 6, 1977	Mr. Hawkins, for himself and Mr. Perkins.	Youth Employment and Demonstration Projects Act of 1977.	May 13, 1977 (H. Rept. 95-314).	May 17, 1977 (Conf. Rept. 95-456 July 19, 1977.	May 26, 1977 (Conf. Rept. July 21, 1977).	Aug. 5, 1977	95-93.
H.R. 6668, Apr. 27, 1977	Mr. Brademas, for himself and others.	To amend the Age Discrimination Act of 1975 to extend the date upon which the U.S. Commission on Civil Rights is required to file its report under such act and for other purposes.	May 6, 1977 (H. Rept. 95-267).	May 9, 1977	May 18, 1977	July 11, 1977	95-65.
H.R. 6692, Apr. 27, 1977	Mr. Brademas, for himself and others.	Education of the Handicapped Amendments of 1977	May 6, 1977 (H. Rept. 95-268).	May 9, 1977	May 23, 1977	June 17, 1977	95-49.

See footnote at end of table.

BILLS AND RESOLUTIONS REPORTED BY COMMITTEE—Continued

Number and date of introduction	Sponsor	Title	Reported by committee	Passed House	Passed Senate	Approved by President	Public Law
H.R. 6693, Apr. 27, 1977	Mr. Brademas, for himself and others.	Child Abuse Prevention and Treatment and Adoption Reform Act of 1978.	Sept. 19, 1977 (H. Rept. 95-609).	Sept. 26, 1977	Oct. 27, 1977	Apr. 24, 1978	95-266.
H.R. 6761, Apr. 29, 1977	Mr. Gaydos, for himself and Mr. Sarasin.	Youth Camp Safety Act	May 13, 1977 (H. Rept. 95-315).				
H.R. 6774 Apr. 29, 1977	Mr. Ford of Michigan, for himself and others.	To make certain technical and miscellaneous amendments to provisions relating to higher education contained in the Education Amendments of 1976.	May 6, 1977 (H. Rept. 95-269).	May 9, 1977	May 25, 1977	June 15, 1977	95-43.
H.R. 757[illegible], June 2, 1977	Mr. Andrews of North Carolina, for himself and others.	Economic Opportunity Amendments of 1978	May 15, 1978 (H. Rept. 95-1151).	July 26, 1978 (Conf. Rept. 95-1766) Oct. 15, 1978.	Aug. 1, 1978 (Conf. Rept. Oct. 15, 1978).	Nov. 2, 1978	95-568.
H.R. 8410, July 19, 1977	Mr. Thompson	Labor Reform Act of 1977	Sept. 27, 1977 (H. Rept. 95-637).	Oct. 6, 1977			
H.R. 9158, Sept. 16, 1978 (S. 1215[1]).	Mr. Blouin, for himself and Mr. Quie.	Tribally Controlled Community College Assistance Act of 1978.	Sept. 11, 1978 (H. Rept. 95-1558).	Sept. 26, 1978	Nov. 4, 1977	Oct. 17, 1978	95-471.
H.R. 9378, Sept. 29, 1977	Mr. Dent, for himself and Mr. Erlenborn.	To amend title IV of the Employee Retirement Income Security Act of 1974 to postpone for 18 months the date on which the corporation first begins paying benefits under terminated multiemployer plans.	Oct. 13, 1977 (H. Rept. 95-706).	Nov. 1, 1977	Nov. 3, 1977	Dec. 19, 1977	95-214.
H.R. 9512, Oct. 12, 1977	Mr. Ford of Michigan, for himself and Mr. Phillip Burton.	To amend the Higher Education Act of 1965 to include the Trust Territory of the Pacific Islands in the definition of the term "State" for the purpose of participation in programs authorized by that act.	Not reported by committee.	Oct. 18, 1977	Nov. 2, 1977	Nov. 15, 1977	95-180.
H.R. 10551, Jan. 25, 1978	Mr. Quie	To extend for 1 year the authority of the Commissioner of Education to waive provisions of title I of the Elementary and Secondary Education Act for certain local educational agencies.	Mar. 1, 1978 (H. Rept. 95-917).	Mar. 7, 1978			
H.R. 10569, Jan. 26, 1978	Mr. Brademas, for himself and others.	Alcohol and Drug Abuse Education Amendments of 1978.	Feb. 16, 1978 (H. Rept. 95-884).	Feb. 21, 1978	May 23, 1978	Aug. 4, 1978	95-336.
H.R. 10570, Jan. 26, 1978	Mr. Brademas, for himself and others.	To amend the Environmental Education Act to extend the authorizations of appropriations for carrying out the provisions of such act, and for other purposes.	Feb. 16, 1978 (H. Rept. 95-885).	Feb. 21, 1978	Provisions incorporated in H.R. 15.		

H.R. 10606, Jan. 30, 1978 (S. 2452 [1]).	Mr. Ford of Michigan, for himself and Mr. Quie.	Hubert H. Humphrey Institute of Public Affairs and the Everett McKinley Dirksen Congressional Leadership Research Center Assistance Act.	Feb. 20, 1978 (H. Rept. 95-888).	Feb. 21, 1978	Mar. 22, 1978	Apr. 27, 1978	95-270.
H.R. 11274, Mar. 3, 1978 (S. 2539 [1]).	Mr. Ford of Michigan, for himself and others.	Middle Income Student Assistance Act	Mar. 14, 1978 (H. Rept. 95-951).	Oct. 14, 1978	Aug. 16, 1978	Nov. 1, 1978	95-566.
H.R. 11922, Apr. 6, 1978	Mr. Andrews of North Carolina.	Domestic Volunteer Service Amendments of 1978	May 15, 1978 (H. Rept. 95-1152).				
H.R. 12255, Apr. 20, 1978	Mr. Brademas, for himself and others.	Comprehensive Older Americans Act Amendments of 1978.	May 13, 1978 (H. Rept. 95-1150).	May 15, 1978 (Conf. Rept. 95-1618) Oct. 4, 1978.	July 24, 1978 (Conf. Rept. Oct. 6, 1978).	Oct. 18, 1978	95-478.
H.R. 12299, Apr. 24, 1978	Mr. Miller of California, for himself and others.	Domestic Violence Assistance Act of 1978	May 10, 1978 (H. Rept. 95-1127).	Failed to pass, May 23, 1978.	Aug. 1, 1978		
H.R. 12452, May 1, 1978 (S. 2570 [1]).	Mr. Hawkins, for himself and others.	Comprehensive Employment and Training Amendments of 1978.	May 10, 1978 (H. Rept. 95-1124).	Sept. 22, 1978 (Conf. Rept. 95-1765) Oct. 15, 1978.	Aug. 25, 1978 (Conf. Rept. Oct. 13, 1978).	Oct. 27, 1978	95-524.
H.R. 12467, May 1, 1978	Mr. Brademas, for himself and others.	Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978.	May 13, 1978 (H. Rept. 95-1149).	May 16, 1978 (Conf. Rept. 95-1780) Oct. 15, 1978.	Sept. 21, 1978 (Conf. Rept. Oct. 15, 1978).	Nov. 6, 1978	95-602.
H.R. 12511, May 2, 1978 (S. 3085 [1]).	Mr. Perkins, for himself and others.	Child Nutrition Amendments of 1978	May 15, 1978 (H. Rept. 95-1153).	Oct. 15, 1978	July 21, 1978	Nov. 10, 1978	95-627.
H. Res. 1072, Mar. 13, 1978	Mr. Perkins, for himself and others.	To disapprove the action of the Commissioner of Education in consolidating cetrain advisory councils.	May 10, 1978 (H. Rept. 95-1128).	May 22, 1978			
H. Con. Res. 369, Oct. 5, 1977	Mr. Dent, for himself and others.	To establish a revised coverage schedule for basic benefits guaranteed by the Pension Benefit Guaranty Corporation for employee pension benefit plans which are not multiemployer plans.	Oct. 31, 1977 (H. Rept. 95-781).	Nov. 2, 1977	Provisions incorporated in H.R. 9378.		
H. J. Res. 649, Nov. 3, 1977	Mr. Brademas, for himself and others.	1979 White House Conference on the Arts and the Humanities.	Feb. 17, 1978 (H. Rept. 95-887).	Feb. 21, 1978	Apr. 18, 1978	May 3, 1978	95-272.
S. 1752, June 24, 1977	Mr. Pell	Education Amendments of 1977	Not reported by committee.	Sept. 12, 1977	Sept. 7, 1977	Sept. 24, 1977	95-112.

[1] Denotes bill number passed.

During the 95th Congress 1114 bills and resolutions were referred to the Committee on Education and Labor. The Committee reported 40 bills and resolutions of which 31 have been enacted into law. The following is a brief description of those measures on which the Committee took action.

Age Discrimination Amendments

H.R. 5383 was reported by the Committee July 25, 1977 (House Report 95-527); passed the House September 23, 1977; passed the Senate October 19, 1977; and was signed by the President April 6, 1978 (Public Law 95-256).

Public Law 95-256 broadens those protections against mandatory retirement based on age which are contained in the Age Discrimination in Employment Act of 1967:

(1) by specifically prohibiting, effective upon enactment, seniority systems or employee benefit plans from requiring or permitting involuntary retirement because of age;

(2) by raising from 65 to 70, effective January 1, 1979, the upper age limit of protection for most non-federal employees; and

(3) by removing entirely, effective September 30, 1978, the upper age limit for most federal employees. Federal employees whose retirement is required or otherwise authorized by statute, i.e., firefighters, Foreign Service officers, law enforcement personnel, are not affected.

Other exceptions are permitted including:

(1) compulsory retirement of persons age 65 who are employed in "bona fide executive or high policymaking" positions for two years prior to retirement and who will receive employer-provided retirement income of at least $27,000 annually;

(2) compulsory retirement, until July 1, 1982, of college and university faculty aged 65 who are serving under a contract of unlimited tenure; and

(3) compulsory retirement as required by an employee benefit plan pursuant to a collective bargaining agreement in effect on September 1, 1977 until the termination of the agreement or until January 1, 1980, whichever comes first.

The Civil Service Commission is directed to study the effects of those amendments relating to federal employees. The Secretary of Labor is directed to study the effect of raising the upper age limit for non-federal employees to 70; the feasibility of raising the limit further or abolishing it altogether, and the effects of the above-mentioned exemptions for tenured professors and executive employees.

Provisions aimed at improving the enforcement procedures are included: A charge, rather than an intent to sue, may be filed with the Secretary of Labor; the statute of limitations may be tolled for one year while the Secretary attempts to effect voluntary compliance; and the right to trial by jury in actions involving monetary damages is clarified.

H.R. 6668 was reported by the Committee May 6, 1977 (House Report 95-267); passed the House May 9, 1977; passed the Senate May

18, 1977; and was signed by the President July 11, 1977 (Public Law 95-65). Public Law 95-65 amended the Age Discrimination Act of 1975 (title III of Public Law 94-135) to extend for six months the date on which the United States Commission on Civil Rights was required to file its report on age discrimination. This legislation also amended the Older Americans Act of 1965 to maintain through September 30, 1978, the required program level for surplus commodity donations in nutrition programs for the elderly and to permit States to elect to receive cash payments in lieu of commodities.

Alcohol and Drug Abuse Education Act Amendments of 1978

On February 16, 1978, the Committee reported H.R. 10569 (House Report 95-884). This legislation passed the House February 21, 1978; the Senate May 23, 1978; and was signed by the President August 4, 1978 (Public Law 95-336).

Public Law 95-336 extends the authorization for the Alcohol and Drug Abuse Education Act for three additional years, providing $10 million for fiscal year 1979, $14 million for 1980, and $18 million for 1981.

Public Law 95-336 also:

(1) places greater emphasis on the prevention aspect of alcohol and drug abuse education programs;

(2) strengthens the focus on the "school team" approach which is aimed at providing local capability to meet local need;

(3) requires programs to meet the needs of rural areas and mandates, to the maximum practical extent, proportional allotment of appropriations within and without Standard Metropolitan Statistical Areas;

(4) requires coordination of effort at the federal, State and local levels;

(5) places greater emphasis on program evaluation by requiring applicants for assistance to provide evaluation mechanisms and by requiring the Commissioner of Education to conduct an annual evaluation;

(6) authorizes the use of up to 10% of appropriated funds for model project grants, including projects of proven effectiveness, to develop exemplary techniques and programs;

(7) establishes an Office of Alcohol and Drug Abuse Education in the U.S. Office of Education;

(8) provides for multiple year funding of projects; and

(9) provides, for the period July 1, 1978 through September 30, 1980, a hold harmless mechanism for institutions participating in the veterans cost-of-instruction program which are facing declining veteran enrollments.

Black Lung Benefits Reform Act of 1977

H.R. 4544 was reported by the Committee March 31, 1977 (House Report 95-151); passed the House September 19, 1977; passed the Senate September 20, 1977; and was signed by the President March 1, 1978 (Public Law 95-239).

The Black Lung Benefits Reform Act makes a number of liberalizing changes with respect to the determination of black lung benefits claims:

(1) The survivors of a miner who died before enactment of the 1977 amendments, and who had 25 years coal mine employment prior to June 30, 1971, are entitled to benefits unless it is established that at the time of death the miner was not disabled due to pneumoconiosis.

(2) In the case of deceased miners, if there is no medical or other relevant evidence, affidavits will be sufficient to show total disability at the time of death, or that death was due to pneumoconiosis.

(3) Autopsy reports must now be accepted unless there is good cause to believe them inaccurate or fraudulent.

(4) In cases where there is other evidence that a miner has a pulmonary or respiratory impairment, an X-ray reading must be accepted, provided that the X-ray was initially taken and read by a qualified individual, is of sufficient quality and there is no evidence of fraud. The Secretary may establish requirements for techniques used in taking X-rays.

(5) Claimants must be given, upon request, an opportunity to substantiate their claims by means of a complete pulmonary examination.

(6) Part C claimants may file within three years of a medical determination of total disability or within three years of enactment of the 1977 amendments, whichever occurs later. The statute of limitations on survivor claims is eliminated.

(7) In the case of a deceased miner, employment in the mines at the time of death cannot be used as conclusive evidence that he was not totally disabled. A living miner's employment, if there are changed circumstances of employment indicative of reduced ability to perform usual work, cannot be used as conclusive evidence that he is not totally disabled. However, except for those suffering from complicated pneumoconiosis, miners cannot receive benefits while employed; employment must terminate within one year of determined eligibility.

Taking into account these changes, all previously denied or pending claims are to be reviewed. Part C claims will be reviewed by the Secretary of Labor; claimants will be given an opportunity to augment their files; and the Secretary is to immediately provide for full payment of approved claims.

Part B claimants may elect to have their claims reviewed by the Secretary of Health, Education, and Welfare, based on existing files, or transferred to the Department of Labor for refiling under Part C, with an opportunity to submit new evidence.

If the Secretary of Health, Education, and Welfare reviews and approves the claim, it will be transferred to the Department of Labor for immediate payment as an initial determination of eligibility. If the Secretary disapproves the claim, it will then be transferred to Labor for refiling under Part C.

The Secretary of Labor is authorized to promulgate medical standards for Part C claims. Review of Part B and Part C claims and of all pending claims filed prior to such promulgation will be done using the "interim" standards (those in effect on June 30, 1973).

Persons whose claims are approved as a result of review will be eligible for retroactive benefits to January 1, 1974, or from the date of filing, whichever occurs later.

The payment of benefits is the obligation of the responsible mine operator. If no responsible operator can be found, if the operator fails to make payments in a timely fashion, or if the miner's last employment terminated before January 1, 1970, benefits will be paid from the newly established Black Lung Disability Trust Fund (Black Lung Benefits Revenue Act of 1977).

Other changes in the black lung benefits program include:

(1) broadening the definition of "miner" to include self-employed miners, persons engaged in processing coal, and mine construction and transportation workers to the extent they are exposed to coal dust;

(2) permitting Part B benefits to be offset by other compensation only if such compensation is received because of the miner's pneumoconiosis (as has been the case with respect to Part C claims);

(3) requiring the Secretary of Health, Education, and Welfare to notify miners receiving benefits under Part B of their eligibility to file for medical services under Part C. Such miners will have six months to file a claim.

(4) requiring the Secretaries of Labor and Health, Education, and Welfare to disseminate information to interested persons on the changes made by the 1977 amendments, including denied claimants of their review rights;

(5) requiring the Secretary of Labor to establish and operate field offices to assist miners and survivors of miners in filing claims and to assist in processing claims;

(6) requiring the Secretary to provide in writing the reasons for claim denial and a summary of the administrative hearing record;

(7) authorizing the Secretary to carry out a black lung compensation insurance program to assist operators unable to secure private insurance to cover liability at reasonable cost; and

(8) requiring the Secretary, in cooperation with the National Institute of Occupational Safety and Health, to conduct a study of all occupationally related pulmonary and respiratory diseases.

Career Education Incentive Act

H.R. 7 was reported by the Committee March 31, 1977 (House Report 95-150); passed the House April 5, 1977; passed the Senate October 20, 1977; and was signed by the President December 13, 1977 (Public Law 95-207).

The Career Education Incentive Act authorizes $50 million for fiscal year 1979, $100 million for 1980, $100 million for 1981, $50 million for 1982, and $25 million for 1983 to assist State and local education agencies in carrying out elementary and secondary school programs designed to promote career awareness, exploration, decisionmaking and planning. In addition, $15 million is authorized for each of these five fiscal years for demonstration projects to promote career education at the postsecondary level.

The Commissioner of Education is authorized to reserve specified percentages of appropriated funds for program administration and model projects; for payments to the outlying areas; for a national career education information program; and for a national evaluation of

program effectiveness. The remaining funds are to be allotted among the States on the basis of their relative numbers of school-age children, except that no State will receive less than $125,000 per year.

Each State must submit, by July 1, 1979, a State plan setting out explicit objectives and proposals for using funds; not later than December 31 of each fiscal year submit an evaluation report; provide assurances that the State education agency will be responsible for planning and administration; require that programs be administered so as to affect all instructional programs in elementary and secondary education; and employ necessary staff for program administration and coordination, including at least one professional trained in guidance and counseling.

In fiscal year 1979 up to 10%, and in each year thereafter up to 5%, of a State's allotment may be reserved for employing State-level staff and for reviewing and revising the State plan. Up to 10% each year may be reserved for providing State leadership in career education, including leadership conferences, inservice institutes and the dissemination of materials. The remaining portion of a State's allotment is to be distributed to its local education agencies for a wide range of career education activities. Such distribution must take into consideration the needs of private schoolchildren and of districts with high unemployment, with sparse populations and with few students. And, at least 15% of a State's unreserved allotment must be used for comprehensive guidance and counseling programs at the local level.

In fiscal year 1979 all programs are to be 100% federally funded. Funds for employing State-level staff require 25% State matching in 1980 and 50% in each of the next three years. Other activities will be 100% federally funded in 1980 and require 25% State matching in 1981, 50% in 1982 and 75% in 1983.

The Office of Career Education is charged with administering these programs, with performing a national leadership role, and with providing technical assistance, upon request, to participating State education agencies.

A number of provisions aimed at eliminating bias and stereotyping on account of race, sex, age, economic status or handicap are included.

Child Abuse Prevention and Treatment and Adoption Reform Act of 1978

H.R. 6693 was reported by the Committee on September 19, 1977 (House Report 95-609); passed the House September 26, 1977; passed the Senate October 27, 1977; and was signed by the President April 24, 1978 (Public Law 95-266).

Public Law 95-266 extends the Child Abuse Prevention and Treatment Act for four additional years, through September 30, 1981, and makes a number of changes in existing law aimed at strengthening the research, prevention and treatment programs carried out under the Act. These include:

(1) requiring the Secretary of Health, Education, and Welfare to establish priorities for research grants and contracts; providing for

three-year grant periods; and requiring an annual review of grants, utilizing peer review mechanisms;

(2) broadening demonstration program authority to include service programs;

(3) expanding the definition of "child abuse" to include sexual exploitation;

(4) including within the responsibilities of the National Center on Child Abuse and Neglect dissemination of the research and training materials it compiles and publishes; and

(5) directing the Center to prepare a comprehensive plan for maximum coordination of the goals and activities of all agencies having responsibilities for programs.

For fiscal year 1978, $25 million is authorized; for 1979, $27.5 million; and for 1980 and 1981, $30 million each. Of sums appropriated, at least 50% is to be used for research and for demonstration and service projects, with special consideration for continued funding of programs of national or regional scope and demonstrated effectiveness. In fiscal years 1978 and 1979, the amount of funds which may be used for State grants is increased to 25%, and in 1980 and 1981 to 30%. States which fail to obligate awarded funds within eighteen months face future grant reductions.

A separate authorization, $3 million in 1978, $3.5 million in 1979, and $4 million each in 1980 and 1981, is provided for sexual abuse prevention and treatment programs. Such programs are to include treatment of family units and persons who have committed acts of sexual abuse, training of personnel, and the support of at least three treatment centers. Obligation of funds for sexual abuse programs is dependent upon maintenance of the fiscal year 1977 level of appropriations for child abuse and neglect programs.

Public Law 95-266 also authorizes a new program which is designed to facilitate the adoption process. The Secretary of Health, Education, and Welfare is directed to appoint an advisory panel to develop model adoption legislation and procedures. The Secretary is further directed to encourage the States to adopt such model legislation and procedures; to conduct a study of the nature, scope and effects of the placement of children in adoptive homes by unlicensed individuals or agencies; and to establish an administrative arrangement for planning and coordinating departmental activities affecting adoption and foster care, including a data gathering and analysis system, an education and training program, and a national adoption information exchange system. For such purposes, there is authorized to be appropriated $5 million in fiscal year 1978 and such sums as are necessary in 1979, 1980 and 1981.

Comprehensive Employment and Training Act Amendments

H.R. 2992, legislation to extend through fiscal year 1978 the authorization of appropriations for CETA programs, was reported by the Committee March 28, 1977 (House Report 95-123); passed the House March 29, 1977; passed the Senate May 25, 1977; and became Public Law 95-44 on June 15, 1977.

H.R. 12452 was reported by the Committee May 10, 1978 (House Report 95-1124) and passed the House September 22, 1978. The Senate passed similar legislation, S. 2570, on August 25, 1978. The bill was signed by the President October 27, 1978 (Public Law 95-524).

Public Law 95-524 extends the authorization of appropriations for programs carried out under the Comprehensive Employment and Training Act for four years, through September 30, 1982, except for certain title IV youth programs and the private sector initiatives in title VII which are continued through September 30, 1980. In addition, portions of existing law are rewritten in an effort to improve program operations and correct abuses.

Title I consolidates into one title the authorizations of appropriations, definitions and general provisions relative to program planning and administration. A new provision will require prime sponsors to submit a comprehensive employment and training plan consisting of a long-term master plan, which describes in detail the economic conditions of the area, the prime sponsor's goals, and programmatic and administrative arrangements, and an annual plan, which sets forth specific goals and proposals for reaching them. Title I also establishes an Office of Management Assistance; provides simplified procedures for making program changes; and establishes a timetable for issuance of regulations and submission of plans.

Title II establishes a comprehensive employment and training program aimed particularly at the structurally unemployed. Part B provides for a program of employability development, including job search assistance, education, training, and supportive services. Jobs must be combined with training and must lead to unsubsidized employment. Eligibility is restricted to persons who are economically disadvantaged and who are unemployed, underemployed or in school. Program participation is limited to thirty months in any five-year period. Part C authorizes funds for upgrading and retraining persons working at less than full skill potential.

For Parts A, B, and C, $2 billion is authorized for fiscal year 1979, and such sums as may be necessary for each of the next three years. In fiscal year 1979, funds will be allocated 50% on the basis of prior year funding; 37.5% on the relative number of unemployed; and 12.5% on the relative number of low-income adults. In fiscal year 1980 and thereafter, funds will be allocated 66 and 2/3% on the above-mentioned factors and 33 and 1/3% on the relative number of unemployed persons in areas of substantial unemployment.

A new Part D in title II authorizes transitional employment in jobs providing needed public services. Jobs are to be entry level; are to be combined with training and supportive services; and are to be designed to move participants into unsubsidized employment. Eligibility is limited to persons who are unemployed for at least 15 weeks and whose income does not exceed 70% of the lower living standard income level, or who are on welfare. Program participation is limited to 18 months in any five-year period. Wages will average $7200 in fiscal year 1979 and be adjusted in future years according to local area average wages. The maximum federal contribution to wages is set at $10,000, but may be adjusted up to $12,000 based on the local average wage. Wages may not be supplemented from local sources.

For Part D, $3 billion is authorized for fiscal year 1979, and such sums as may be necessary for each of the next three years. The amount available for Part D in 1980, 1981 and 1982, however, cannot exceed 60% of the total appropriation for title II. Funds will be allocated 25% on the relative number of unemployed; 25% on the relative number of unemployed in excess of 4.5%; 25% on the relative number of unemployed in areas of substantial unemployment; and 25% on the relative number of low-income adults. In fiscal year 1979, 10% of a prime sponsor's allocation must be used for training. This percentage is adjusted annually so that in 1982 at least 22% must be used for training.

Title III contains authority for research, training, evaluation and for special federal programs for persons facing particular disadvantages in the labor market, including displaced homemakers, criminal offenders, persons with limited English-speaking ability, handicapped persons, native Americans, migrant and seasonal farmworkers, and older workers. Also authorized are a veterans' information and outreach program; partnership demonstration programs between prime sponsors and State employment security agencies; an experimental program to link the employment and training activities of prime sponsors to a strategy for stimulating local private economic development; a special project to test the feasibility of providing voucher payments to private employers who provide employment to the economically disadvantaged; special awards to prime sponsors who perform title II functions well; and job search and relocation assistance. For title III such sums as may be necessary are authorized for each fiscal year, not to exceed 20% of total appropriations (excluding Part D of title II and title VI).

Title IV contains authority for the youth employment and demonstration programs, for the Job Corps and for the summer youth program. For such purposes, $2.250 billion is authorized in fiscal year 1979 and $2.4 billion in fiscal year 1980. Such sums as may be necessary are authorized for the Job Corps and the summer program for 1981 and 1982.

Title V changes the name of the National Manpower Policy Commission to the National Commission for Employment Policy.

Title VI establishes a program of temporary public service employment during periods when the national rate of unemployment exceeds 4%. The number of jobs funded must be sufficient to provide employment for 20% of the unemployed in excess of 4%. If the rate of unemployment exceeds 7% this figure is increased to 25%. Eligibility is limited to persons unemployed for 10 of the preceding 12 weeks and whose income does not exceed 100% of the lower living standard income level, or who are on welfare. Wage limitations are the same as those provided for title II, Part D, except that supplementation with local funds up to 10% is permitted. Authorizations will be dependent on the rate of unemployment. Funds will be allocated 50% on the relative number of unemployed; 25% on the relative number of unemployed in excess of 4.5%; and 25% on the relative number of unemployed in areas of substantial unemployment. Fifty percent of a prime sponsor's allocation must be used for projects not to exceed 18 months duration. Jobs not in projects must be entry level. Of funds used for public service employment, 80% may be used for wages and benefits,

10% in 1979 and 5% thereafter for training and employability counseling.

Title VII provides for a demonstration program to test the effectiveness of a variety of approaches to increase involvement of the business community in employment and training activities and to increase private sector employment opportunities for the economically disadvantaged. Participating prime sponsors are required to establish private industry councils. For title VII $500 million is authorized in fiscal year 1979 and $525 million in 1980.

Title VIII contains the Young Adult Conservation Corps. For this title $350 million is authorized in 1979, $400 million in 1980 and such sums as may be necessary for 1981 and 1982.

Finally, the Labor-Management Relations Act is amended authorizing the Federal Mediation and Conciliation Service to support the establishment and operation of labor-management committees organized jointly by employers and employee unions to deal with problems outside the scope of the collective bargaining process. For such purposes, $10 million is authorized for fiscal year 1979 and such sums as may be necessary thereafter.

Comprehensive Older Americans Act Amendments of 1978

H.R. 12255 was reported by the Committee May 13, 1978 (House Report 95-1150); passed the House May 15, 1978; the Senate July 24, 1978; and was signed by the President October 18, 1978 (Public Law 95-478).

Public Law 95-478 extends the Older Americans Act programs for three additional years, through September 30, 1981, and makes a number of changes in existing law which are designed to strengthen program effectiveness. Except where specifically noted, sums are authorized to be appropriated as may be necessary for program operations.

The existing title V multipurpose senior centers program, the title VII nutrition program and new authority for home delivered meals for the homebound elderly are consolidated within the title III State grant program for social services. Modifications in these programs include a 90/10 matching ratio in fiscal years 1979 and 1980 and an 85/15 ratio in 1981; three-year planning cycles; reservation of 50% of an area agency's social services allotment for access, in-home and legal services; requiring that State agencies establish and operate long-term care ombudsman programs; provision for a two-year waiver of requirements which cannot be met as a result of the consolidation; increased emphasis on outreach activities; requiring preference to be given elderly persons in greatest economic or social need; authority for reimbursing States for funds made available to area agencies during major disasters; requiring State agencies to spend in each fiscal year 105% of their 1978 expenditure for services to the rural elderly; and expansion of existing authority to permit construction of multipurpose centers. Separate authorizations of appropriations are provided for social services, congregate nutrition services and home delivered meals as follows: for social services, $300 million in 1979, $360 million in 1980

and $480 million in 1981; for congregate meals, $350 million in 1979, $375 million in 1980 and $400 million in 1981; for home delivered meals, $80 million in 1979, $100 million in 1980 and $120 million in 1981.

A number of new studies are authorized: a thorough study and evaluation by the Federal Council on Aging of programs conducted under the Act, including an examination of the fundamental purposes and effectiveness of programs, analysis of a means to identify those in greatest need of services, and an assessment of low-income and minority participation; a study of the problems experienced in operating transportation services; a study of the differences in cost, service delivery and access between rural and urban areas and of the special needs of the rural elderly; and a study by the U.S. Commission on Civil Rights of racial and ethnic discrimination in federally assisted programs for the elderly.

Authority for conducting demonstration projects is broadened to include: projects in ten States to develop and improve methods of coordinating services for the homebound elderly, blind and disabled; projects to meet the special needs of the rural elderly; projects in comprehensive long-term care with special emphasis on alternatives to institutional living; legal services projects, for which $5 million is reserved in each fiscal year; projects of national siginificance for expanding or improving services, for which 15% of model project appropriations are reserved; and projects designed to relieve the elderly of high utility and home heating costs. Authority for ombudsman demonstration projects is deleted.

Authority for community service employment programs is moved to title V; additional authority is provided for a Senior Environmental Employment Corps; and the income eligibility criterion is raised to 125% of the poverty index. For such programs $350 million is authorized in fiscal year 1979, $400 million in 1980 and $450 million in 1981.

In a new title VI expanded authority is provided for comprehensive social and nutrition services for American Indian tribes. At least $5 million must be appropriated, however, before this title becomes operative. Otherwise, services will be provided under title III.

Public Law 95-478 contains a separate authorization of appropriations and authority for independent staff for the Federal Council on Aging; requires the development and implementation of a national manpower policy reflecting present and future needs in the field of aging, with priority in training for multipurpose senior centers and nutrition program personnel; contains authority for convening State conferences and a national White House Conference on Aging in 1981 to develop recommendations for further research and action in the field of aging; requires the Commissioner on Aging to report to the Congress by September 30, 1980, on the effectiveness of legal services programs; amends the Age Discrimination Act of 1975 to provide for judicial action when violations of the Act occur; and places special emphasis on the needs of the elderly in rural areas.

Finally, Public Law 95-478 extends the national older American volunteer programs (RSVP, Foster Grandparents/Senior Companions) authorized in title II of the Domestic Volunteer Service Act through

September 30, 1981. Appropriations are authorized: for RSVP, $25 million in 1979, $30 million in 1980 and $35 million in 1981; and for Foster Grandparents/Senior Companions, $55 million in 1979, $62.5 million in 1980 and $70 million in 1981. For Foster Grandparent/Senior Companion programs a $2 an hour stipend is authorized, provided appropriations are sufficient to maintain the previous year's level of participation, and the income eligibility criterion is raised to 125% of the poverty index.

Domestic Violence Assistance Act of 1978

H.R. 12299, legislation authorizing federal assistance for programs to prevent domestic violence and to assist the victims of such violence, was reported by the Committee May 10, 1978 (House Report 95-1127).

Domestic Volunteer Service Amendments of 1978

H.R. 11922, legislation extending the volunteer programs authorized in the Domestic Volunteer Service Act with the exception of the older American volunteer programs, was reported by the Committee May 15, 1978 (House Report 95-1152). The older American volunteer programs (RSVP and Foster Grandparents/Senior Compansions) were extended in the Comprehensive Older Americans Act Amendments (See page 10).

Economic Opportunity Amendments of 1978

H.R. 7577 was reported by the Committee May 15, 1978 (House Report 95-1151); passed the House July 26, 1978; the Senate August 1, 1978; and was signed by the President November 2, 1978 (Public Law 95-568).

Public Law 95-568 extends titles I through IX of the Economic Opportunity Act for three additional years, through September 30, 1981. Other amendments include:

(1) providing for return to an 80/20 matching ratio for community action programs;

(2) adding a new special emphasis program designed to provide experimental employment and training opportunities for unemployed and underemployed low-income persons with special emphasis on youth, the structurally unemployed, single heads of households with dependent children, older workers and veterans;

(3) deleting the existing title IV comprehensive health services program, and moving the program of assistance for migrant and seasonal farmworkers currently contained in Part B of title III to title IV;

(4) providing a new Headstart formula. The basic formula provides for 78% of the funds to be allotted among the States on the basis of their relative numbers of AFDC recipients and children age 0 to 5 from low-income families; 20% to be reserved for Indian and migrant Headstart programs, services for handicapped children, hold harmless payments to maintain each State at its 1978 funding level, training and technical assistance, and the remainder according to criteria prescribed

by the Secretary; and 2% to be reserved for allotment to the Trust Territories and for supplemental payments to some marginal hold harmless States.

(5) providing for local determination of eligibility criteria for Head-start in communities of 1,000 or less whose population is 50% low-income and which are remote from other pre-school services and medical services;

(6) deleting language providing for assistant directors for community action in rural and urban areas, the Intergovernmental Advisory Council on Community Services, and for transfer of the Community Services Administration to the Departments of Commerce and Health, Education, and Welfare;

(7) extending authority for the National Advisory Council on Economic Opportunity for three years, limiting its expenditures to $225,000 in 1979, $250,000 in 1980 and $275,000 in 1981, and altering its composition;

(8) restoring the administrative role of regional offices; and

(9) authorizing establishment of a National Advisory Community Investment Board and local boards to promote cooperation between private investors and businesses and community development corporations.

Specific authorizations of appropriations are provided as follows:

for title I research and demonstration programs, $5 million in fiscal year 1979, $6 million in 1980 and $8 million in 1981;

for the title III special rural loan program, $3 million in 1979, $5 million in 1980 and $7 million in 1981;

for demonstration community partnership agreements, $50 million each for 1979, 1980 and 1981;

for title IV assistance for migrant and seasonal farmworkers, $3 million in 1979, $5 million in 1980 and $8 million in 1981;

for Follow Through $70 million in 1979, $85 million in 1980 and $100 million in 1981;

for the Community Economic Development Program, $70 million in 1979, $85 million in 1980 and $105 million in 1981; and

for evaluation, $4 million in 1979, $7 million in 1980 and $10 million in 1981.

Education of the Handicapped Amendments of 1977

H.R. 6692 was reported by the Committee May 6, 1977 (House Report 95-268); passed the House May 9, 1977; passed the Senate May 23, 1977; and was signed by the President June 17, 1977 (Public Law 95-49). The 1977 Amendments extend the authorization for programs carried out under the Education of the Handicapped Act through September 30, 1982. Funds are authorized in the following amounts:

	1978	1979	1980	1981	1982
Regional resource centers	$19,000,000	$19,000,000	$21,000,000	$24,000,000	$25,000,000
Centers and services for deaf-blind children	22,000,000	24,000,000	26,000,000	29,000,000	32,000,000
Early education for handicapped children	25,000,000	25,000,000	25,000,000	20,000,000	20,000,000
Regional education programs	10,000,000	12,000,000	14,000,000	16,000,000	16,000,000
Personnel training	75,000,000	80,000,000	85,000,000	90,000,000	95,000,000
Recruiting of personnel and dissemination of information	2,000,000	2,000,000	2,500,000	2,500,000	2,500,000
Research	20,000,000	22,000,000	24,000,000	26,000,000	28,000,000
Instructional media	24,000,000	25,000,000	27,000,000	29,000,000	29,000,000

Elementary and Secondary Education Amendments

H.R. 15 was reported by the Committee May 11, 1978 (House Report 95-1137); passed the House July 13, 1978; the Senate August 24, 1978; and was signed by the President November 1, 1978 (Public Law 95-561).

Public Law 95-561, the Education Amendments of 1978, extends through September 30, 1983, most of the major federal assistance programs for elementary and secondary education. These Amendments also rewrite substantial portions of existing law, preserving its basic features while providing more logical structure, clarifying its provisions, expanding existing programs and authorizing a number of new initiatives.

Title I of the Elementary and Secondary Education Act is rewritten, incorporating the provisions relating to programs operated by local education agencies in a new Part A; those relating to programs operated by State education agencies in Part B; administrative responsibilities of State agencies in Part C; administrative responsibilities of the Federal Government in Part D; provisions covering payments in Part E; and general provisions in Part F. The formula for distribution of title I funds is altered, effective in fiscal year 1980, to provide for a full count of AFDC children and for distributing half of those appropriations in excess of the 1979 level according to the 1975 Survey of Income and Education. An authorization of $400 million is provided for fiscal year 1979, and such sums as may be necessary for each of the next four years, for supplemental grants to school districts in counties having large concentrations of poor children, i.e., 5,000 poor children or poor children constituting at least 20% of their school age population. And, supplemental assistance providing one additional federal dollar for every two dollars of State money is authorized for States conducting their own compensatory programs for educationally deprived children.

Public Law 95-561 establishes a new title II aimed at helping children master basic reading, math and communications skills. The first $20 million appropriated is reserved for the national program established in Part A. Appropriations in excess of $20 million will be available for State grants under Part B. Title II also continues the Inexpensive Book Distribution Program, providing that the federal share will be 75% of the cost, and authorizing $9 million for fiscal year 1979, $10 million for 1980, $11 million for 1981, and $12 million each for 1982 and 1983. Such sums as may be necessary are authorized for the special mathematics program previously authorized under the Emergency School Aid Act.

"Special projects" authority is moved to a new title III. Title III provisions include a separate authorization of $20 million for each fiscal year for metric education and for arts in education. Such sums as may be necessary are authorized for innovative and experimental projects to be carried out at the discretion of the Commissioner, including grants of up to $25,000 to teachers, administrators, education personnel and parent organizations. A sum of $5 million is reserved from discretionary funds for each fiscal year for consumer education programs. New authority is provided for demonstration projects relating to the

academic and vocational education of criminal offenders ($5 million authorized for each fiscal year); for cooperative pilot programs between local school districts and Head Start to ease the transition of preschoolers into elementary school (10% of discretionary funds reserved); for a youth employment program ($7.5 million authorized for each fiscal year); for law-related education designed to equip lay persons with knowledge of the legal system ($15 million authorized for each fiscal year); for health education ($10 million authorized for each fiscal year); for projects designed to encourage economically disadvantaged secondary school students to pursue training in the biomedical sciences ($40 million authorized for each fiscal year); for population education activities (10% of discretionary funds reserved); and for disseminating information on effective programs. Existing authority for environmental education programs is included in title III. For such purposes $5 million is authorized in 1979, $7 million in 1980, $9 million in 1981, $11 million in 1982, and $13 million in 1983, with $500,000 reserved in each fiscal year for prize contests in elementary and secondary schools in the area of energy. Authority for other "special projects" is expanded in new titles VIII and IX of the Elementary and Secondary Education Act.

Title IV amendments include a mandate that States fund innovative programs to improve compensatory education and provision in a new part D of separate funding authority for guidance, counseling and testing programs. Appropriations for Part D are authorized at a level of $50 million for each of the fiscal years 1980 through 1983. Appropriations must equal $18 million for the first year, or those of the preceding year for subsequent years, before the Part becomes effective.

A new title V consolidates State administrative funds and provisions for titles I and IV and authorizes assistance designed to strengthen State educational agency management (previously Part C of Title IV, ESEA).

Provisions of the Emergency School Aid Act are moved to title VI. For fiscal year 1980 and for each of the next three years, $155 million is authorized for allotment to the States; $245 million for special programs and projects, educational television and radio, and for evaluation; $15 million for implementation of plans; and $7.25 million for "follow the child" services. For each year, $20 million is reserved for magnet schools. States which are spending their own funds to encourage voluntary integration are eligible for supplemental assistance (two federal dollars for every State dollar) up to $500,000 or 10% of the State allotment, whichever is greater. Districts which are developing desegregation plans are made eligible for assistance, and a time schedule for application approval and payments is provided.

For the title VII bilingual education programs $200 million is authorized in 1979, $250 million in 1980, $300 million in 1981, $350 million in 1982 and $400 million in 1983. The bilingual education program authorized in the Emergency School Aid Act is transferred to title VII with a separate authorization of $15 million for 1980, $20 million for 1981, $25 million for 1982 and $30 million for 1983. The Secretary is required to report on converting the bilingual education program from a discretionary to a formula grant program.

Authority for community education programs is upgraded in a new title VIII. For grants to the States, $40 million is authorized in 1979, $50 million in 1980, $60 million in 1981, $50 million in 1982 and $40 million in 1983; for grants to local education agencies, $20 million in 1979, $25 million in 1980, $30 million in 1981, $25 million in 1982 and $20 million in 1983; for grants to other agencies, $5 million in 1979, $7 million in 1980, $10 million in 1981, $7 million in 1982 and $5 million in 1983. Federal funds are required to be matched by State and local funds. Additional amounts are authorized for research, training, national leadership and planning activities, and for administration.

A new title IX authorizing specialized education programs is established. Part A provides separate authority for the gifted and talented children's program, authorizing $25 million in 1979, $30 million in 1980, $35 million in 1981, $40 million in 1982, and $50 million in 1983, and earmarking at least 75% of appropriations for grants to the States. Part B authorizes such sums as may be necessary for fiscal years 1980 through 1983 for a new program of aid to assist the States in developing minimum competency standards and for research and evaluation on the use of tests to measure basic skills. Part C incorporates the provisions of the Women's Educational Equity Act, for which $80 million is authorized for fiscal years 1980 through 1983. The first $15 million appropriated must be used for projects of national significance. Part D authorizes $15 million for each fiscal year for special grants to fifteen local education agencies for programs designed to reduce the incidence of crime in schools. Part E contains the existing ethnic heritage studies program, for which $15 million is authorized in each fiscal year.

Other provisions of the Act are designed to increase participation of children enrolled in private schools, including creation of an Office of Non-Public Education; to increase parental involvement; to simplify administrative procedures; to reduce paperwork, including multi-year applications and evaluations; and to assist school districts in achieving greater equalization of expenditures, including a comprehensive school finance review. Authority is also provided for a national assessment of education progress.

Public Law 95-561 also includes amendments to and extension of a number of other education programs. The impact aid program is amended to increase aid to heavily impacted districts; to repeal the absorption provision; to provide for treating children living in federally assisted low-rent housing in the same manner as regular impact aid children; to establish a commission to review the program; and to provide for funding tier two entitlements at a level of 65% rather than the existing 100%. Appropriations in excess of those necessary to satisfy the 65% requirement will be used to fund a 90% declining hold harmless provision and to satisfy any remaining tier two entitlements.

Amendments relative to education programs for Indian children include a formula for distribution of funds to BIA and contract schools; reorganization of the BIA to effect better program administration; increases in impact aid payments to school districts for Indian children; and authorization of studies relative to establishing standards for the basic education of such children and for national criteria for boarding schools.

The Adult Education Act is extended at a level of $210 million in 1979, $230 million in 1980, $250 million in 1981, $270 million in 1982 and $290 million in 1983. Special emphasis is placed on the needs of rural areas, urban areas with high unemployment rates, persons with limited English language skills, and Indians. A new program for adult immigrants is authorized. The National Advisory Council on Adult Education is extended through fiscal year 1984. And, additional funds are authorized for research, evaluation and for an information clearinghouse.

A statutory base is provided for elementary and secondary education programs for dependents in overseas schools. Such programs will be administered by a civilian-headed Office of Dependents' Education within the Department of Defense. Such schools are made eligible for benefits under the National School Lunch and Child Nutrition Acts. And, a comprehensive study of the overseas school system is required.

The President is required to establish a national commission to promote observance of 1979 as the International Year of the Child, as proclaimed by the United Nations General Assembly; a commission to study proposals for establishing a National Academy on Peace and Conflict Resolution is authorized; the authorization for the teacher center program is increased to $100 million for fiscal year 1979; and authority contained in the Indochinese Refugee Children's Assistance Act is extended through fiscal year 1981.

H.R. 10551 was reported March 1, 1978 (House Report 95-917) and passed the House March 7, 1978. This legislation would have extended for one year the Commissioner of Education's authority to waive requirements of title I of the Elementary and Secondary Education Act thereby permitting certain local education agencies to continue participating in the demonstration study being conducted by the National Institute of Education to examine alternative methods of operating title I programs.

Employee Retirement Income Security Amendments

H.Con. Res. 369, approving an increase in single employer termination insurance premiums from $1 to $2.25 per participant, effective January 1, 1978, was reported by the Committee October 31, 1977 (House Report 95-781, Part 1) and passed the House November 2, 1977. The Senate raised the premium rate to $2.60 per participant and incorporated the substance of H.Con.Res. 369 in H.R. 9378 (See below).

H.R. 9378 was reported by the Committee October 13, 1977 (House Report 95-706); passed the House November 1, 1977; passed the Senate November 3, 1977; and was signed by the President December 19, 1977 (Public Law 95-214).

In addition to increasing single employer premiums, Public Law 95-214 amended title IV of the Employee Retirement Income Security Act of 1974 to postpone for eighteen months, from January 1, 1978 to July 1, 1979, the date on which termination insurance coverage for

multiemployer pension plans becomes mandatory. In addition, the Pension Benefit Guaranty Corporation was required to submit to the Congress by July 1, 1978, a report on the financial condition of the termination insurance program as it relates to multiemployer plans, including possible financial difficulties after July 1, 1979, and alternative ways to insure proper coverage of such plans.

Environmental Education Act Amendments

H.R. 10570, legislation to extend the Environmental Education Act for five additional years, was reported by the Committee February 16, 1978 (House Report 95-885) and passed the House February 21, 1978. The Senate amended the Special Projects Act (title III of the Elementary and Secondary Education Act) to include authority for environmental education programs (See page 15).

Fair Labor Standards Amendments of 1977

H.R. 3744 was reported by the Committee July 22, 1977 (House Report 95-521); passed the House September 15, 1977; passed the Senate October 7, 1977; and was signed by the President November 1, 1977 (Public Law 95-151).

The Fair Labor Standards Amendments of 1977 provide for increases in the minimum wage for all covered employees as follows: $2.65 an hour January 1, 1978; $2.90 January 1, 1979; $3.10 January 1, 1980; and $3.35 January 1, 1981.

In addition, the 1977 amendments:

(1) provide for the establishment of a Minimum Wage Study Commission which is directed to conduct a comprehensive study of the Fair Labor Standards Act. The Commission will be composed of eight members to be appointed two each by the Secretaries of Labor, Commerce, Agriculture, and Health, Education, and Welfare.

(2) change the definition of tipped employee to one who receives $30 or more per month in tips and reduce the tip credit to 45% of the minimum wage January 1, 1979, and 40% January 1, 1980;

(3) permit the Secretary of Labor to waive restrictions for the employment of children in certain hand harvest situations;

(4) change the test for coverage for enterprises operating retail and service establishments over a three year period. Effective July 1, 1978 enterprises grossing $275,000 will be covered; July 1, 1980, $325,000; and December 31, 1981, $362,500.

(5) exempt employees of organized camps and religious or nonprofit educational conference centers operated on a seasonal basis;

(6) extend coverage to employees of concessioners in national parks, forests, and refuges, except for those engaged in providing services and facilities for skiing;

(7) revise overtime coverage for certain employees, including hotel, motel and restaurant employees; and

(8) increase from four to six the number of students who may be employed under the certificate plan and direct the Secretary to prescribe simplified forms for small businesses wishing to use such special certificates.

35-449 O - 3

Federal Mine Safety and Health Act of 1977

H.R. 4287 was reported by the Committee May 13, 1977 (House Report 95-312) and passed the House July 15, 1977. A similar bill, S. 717, passed the Senate on June 21, 1977. This legislation was signed by the President November 9, 1977 (Public Law 95-164)

Public Law 95-164 transfers the administration of all mine safety and health enforcement activities from the Department of the Interior to the Department of Labor. It also seeks to improve safety and health conditions for miners in metallic and nonmetallic mines by affording them the same protections that have been available to coal miners since the enactment of the Coal Mine Health and Safety Act in 1969. Particular protections include:

(1) mandating four inspections per year for all underground mines, two inspections for surface mines, and additional inspections for mines with extremely hazardous conditions;

(2) allowing miners to obtain an immediate inspection by giving written notice to the Secretary of any violation or imminent danger situation;

(3) requiring that miners or their representative be allowed to accompany inspectors during inspections and participate in pre- and post-inspection conferences;

(4) prohibiting advance notice of inspections;

(5) requiring minimum safety and health training periods for miners;

(6) prohibiting discharge of or discrimination against any miner availing himself of the protections of the Act;

(7) providing continuation of pay for miners idled by a withdrawal order; and

(8) providing a civil penalty of up to $10,000 for each health and safety standard violation.

An independent Mine Safety and Health Review Commission is established to handle administrative review, as distinguished from enforcement, responsibilities of the Act. The Act establishes strict statutory timetables to govern administrative review, penalty assessment and standards-setting procedures; vests authority to develop safety and health standards in the Secretary of Labor; authorizes the Secretary of Health, Education and Welfare to prepare criteria documents to be used in developing standards; and authorizes the Secretary of Labor to issue emergency temporary standards without going through the statutory process in situations of grave danger.

Full Employment and Balanced Growth Act of 1978

H.R. 50 was reported by the Committee February 22, 1978 (House Report 95-895); passed the House March 16, 1978; the Senate October 13, 1978; and was signed by the President October 27, 1978 (Public Law 95-523).

The Full Employment and Balanced Growth Act establishes a detailed process, involving the President, the Federal Reserve Board, and the Congress, for developing economic policy aimed at solving the problems of unemployment, inflation and inadequate growth.

The President is required to set forth, at the beginning of each regular session of Congress, economic objectives, including goals for the reduction of unemployment and inflation, and recommendations for their achievement. The President's Budget, moreover, is required to incorporate the programs and policies necessary for reaching such goals. And, the President is required to initiate specific structural policies to reinforce fiscal and monetary policies.

The Federal Reserve Board is required to report to the Congress, by February 20 and July 20 of each year, on its objectives and plans for a two-year period and on their relationship to the goals and policies in the President's Economic Report.

The Congress is to review the recommendations of the President and the Federal Reserve Board and take legislative action it deems necessary for achieving the goals.

The predominant goals are: (1) an unemployment rate of 4% by 1983 and full employment as soon as possible thereafter; (2) an inflation rate of 3% by 1983 and zero by 1988, the methods used for obtaining such to be reinforcing of the goal of full employment; and (3) a balanced Federal Budget.

In the expansion of economic activity and creation of new jobs, primary emphasis is to be given the private sector, including measures to encourage private sector investment and capital expansion. The Federal Government is to be the employer of last resort and effort is to be made to lower the share of the gross national product accounted for by federal outlays.

Public Law 95-523 also mandates the Committees on Education and Labor and Human Resources to study establishment of a full employment goal in connection with provisions of the Act and calls for convening a national employment conference, which shall focus particular attention on structural unemployment, the special problems of disadvantaged youth and the creation of jobs through incentives to the private sector.

Higher Education Technical Amendments

H.R. 6774, making a number of technical and miscellaneous amendments to the higher education provisions of Public Law 94-482 (the Education Amendments of 1976) was reported by the Committee May 6, 1977 (House Report 95-269); passed the House May 9, 1977; passed the Senate May 25, 1977; and was signed by the President June 15, 1977 (Public Law 95-43).

On October 12, 1977, the Committee unanimously agreed to the introduction and placement on the Suspension Calendar of legislation to amend the Higher Education Act of 1965 to include the Trust Territory of the Pacific Islands within the definition of the term "State". As a result, H.R. 9512 was introduced on October 12, 1977; passed the House October 18, 1977; passed the Senate November 2, 1977; and was signed by the President November 15, 1977, becoming Public Law 95-180.

Hubert H. Humphrey Institute of Public Affairs and the Everett McKinley Dirksen Congressional Leadership Research Center Assistance Act

H.R. 10606 was reported by the Committee February 20, 1978 (House Report 95-888) and passed the House February 21, 1978. S. 2452, similar legislation, passed the Senate March 22, 1978, and was signed by the President April 27, 1978, becoming Public Law 95-270.

In recognition of the public service of Senators Hubert Humphrey and Everett Dirksen, Public Law 95-270 authorizes appropriation of $5 million to assist in developing the Hubert H. Humphrey Institute of Public Affairs at the University of Minnesota and $2.5 million for the Everett McKinley Dirksen Congressional Leadership Research Center in Pekin, Illinois. Grants are to be made by the Commissioner of Education and funds are to remain available until expended.

Juvenile Justice Amendments of 1977

H.R. 6111 was reported by the Committee on May 13, 1977 (House Report 95-313); passed the House of Representatives May 19, 1977; passed the Senate June 21, 1977; and was signed by the President October 3, 1977, becoming Public Law 95-115.

Public Law 95-115 extends the Juvenile Justice and Delinquency Prevention Act of 1974 for three additional years, authorizing $150 million for fiscal year 1978, $175 million for 1979, and $200 million for 1980. Other changes in existing law aimed at improving program operations include:

(1) Each State's minimum formula grant allotment is increased from $200,000 to $225,000.

(2) Financial assistance up to 100% of approved program costs is authorized.

(3) Beginning in fiscal year 1979, the amount of a State's allotment which may be used for planning and administration is reduced from 15% to 7.5% and funds spent for this purpose must be matched by State and local funds.

(4) Funds which may be used for special emphasis programs are limited at 25%. New special emphasis programs include: new approaches and techniques designed to prevent school violence and vandalism; advocacy activities aimed at improving services for and protecting the rights of youth; new programs relating to juvenile delinquency and learning disabilities; and assistance to the States to help them achieve compliance with the Act.

(5) Local private agencies are eligible for direct assistance but only after they have applied to and been denied assistance by the local governmental unit.

(6) The authority of the Office of Juvenile Justice and Delinquency Prevention in administering programs is reaffirmed, with an additional delegation of functions.

The authorization for programs carried out under the Runaway Youth Act is also extended for three years with $25 million authorized for each year. After April 30, 1978, the President is authorized to send

the Congress a reorganization plan establishing an Office of Youth Assistance. Such Office may be placed within either the Action Agency or the Justice Department's Office of Juvenile Justice and Delinquency Prevention and will have principal authority for administering runaway youth programs.

Library Services and Construction Act Amendments of 1977

H.R. 3712 was reported by the Committee March 18, 1977 (House Report 95-97) and passed the House March 21, 1977. S. 602, similar legislation, passed the Senate May 20, 1977, and was signed by the President October 7, 1977, becoming Public Law 95-123.

Public Law 95-123 extends the authorization for the Library Services and Construction Act for five additional years, through fiscal year 1982. Funds are authorized in the following amounts:

(1) For grants for library services under title I, $110 million for 1978, $140 million for 1979 and $150 million for each of the fiscal years 1980, 1981 and 1982;

(2) For grants for public library construction under title II, such sums as may be necessary for each of the fiscal years 1978 through 1981 and $97 million for 1982;

(3) For grants for interlibrary cooperation under title III, $15 million for 1978, and $20 million for each of the fiscal years 1979 through 1982; and

(4) For grants for older readers services under title IV, such sums as are necessary for each of the fiscal years 1978 through 1982.

Special assistance is provided for major urban resource libraries, that is libraries located in cities having a population of 100,000 or more. Funds will be allocated to the States on a formula basis for any fiscal year in which title I appropriations exceed $60 million.

Middle Income Student Assistance Act

H.R. 11274 was reported by the Committee on March 14, 1978 (House Report 95-951) and passed the House October 14, 1978. The Senate passed similar legislation, S. 2539, August 16, 1978. The bill was signed by the President November 1, 1978, becoming Public Law 95-566.

Public Law 95-566 amends title IV of the Higher Education Act of 1965 to increase the availability of assistance to middle-income students as follows.

Public Law 95-566 provides for lowering the assessment rate on discretionary income used in determining eligibility for basic educational opportunity grants to 10.5%; provides for treating the assets of independent students who themselves have dependents in the same manner as the assets of families of dependent students; and requires that exemptions for subsistence costs of single independent students' income be calculated in the same manner as for all other students.

The formula for reducing basic grants, if appropriations are insufficient for full funding, is revised. Grants will be the full amount of any entitlement exceeding $1600, 90% of any entitlement between $1200

and $1600; 75% of any entitlement between $1000 and $1200. Other percentages remain as in existing law.

A minimum funding threshold of $370 million is provided for the supplemental educational opportunity grant program in fiscal year 1980, and of $500 million for college work study. The threshold for national direct student loans will remain at $286 million.

Finally, the income limitation for guaranteed loan subsidized interest payments is removed. Loans may be counted as part of the expected family contribution in determining eligibility for other forms of assistance.

National Labor Relations Act Amendments

H.R. 2222, legislation to assure coverage under the National Labor Relations Act for interns, residents, fellows and others engaged in non-profit hospital medical training programs and receiving stipends or compensation for work performed in connection with such training, was reported by the Committee March 16, 1978 (House Report 95-980).

H.R. 3384 was reported by the Committee on October 27, 1977 (House Report 95-768) and passed the House November 1, 1977. H.R. 3384 would have amended section 19 of the National Labor Relations Act to permit all employees with religious convictions against supporting labor organizations to contribute to a nonreligious charitable fund in lieu of union dues or initiation fees.

H.R. 4250 was reported by the Committee on March 18, 1977 (House Report 95-96) and failed to pass the House March 23, 1977. Title I of H.R. 4250 would have amended section 8(b)(4), the so-called "secondary boycott provisions", of the National Labor Relations Act to permit strikes and picketing at construction sites against any of several employers "jointly engaged" in construction activities, including subcontractors. Title II of the bill would have established within the Department of Labor a Construction Industry Collective Bargaining Committee, composed of representatives of national employer associations, national labor organizations in the construction industry, and the public. And, title II would have established procedures for the Committee to involve itself in local collective bargaining in the construction industry with a view to facilitating the resolution of disputes and to bringing "national" perspective to the local bargaining process.

H.R. 8410 was reported by the Committee September 27, 1977 (House Report 95-637) and passed the House October 6, 1977. The intent of the Labor Reform Act was to improve certain aspects of existing law governing the relationship between labor and management. In this respect, H.R. 8410 contained provisions aimed at ensuring fair and timely representational elections; more expeditious decisions in unfair labor practices cases; additional protections for workers fired because of union activities; and compensation for employees in "refusal to bargain" cases. The Secretary of Labor would have been

given authority to bar violaters of the Act from receiving federal contracts for a period of three years.

NATIONAL SCHOOL LUNCH AND CHILD NUTRITION ACT AMENDMENTS

H.R. 1139 was reported by the Committee May 10, 1977 (House Report 95-281); passed the House May 18, 1977; passed the Senate June 30, 1977; and was signed by the President November 10, 1977 (Public Law 95-166).

In brief, the 1977 amendments:

(1) Authorize such sums as may be necessary for fiscal years 1978, 1979 and 1980 for the summer food service program; tighten up the eligibility requirements for both sponsors and vendors; provide criminal penalties for fraudulent conduct; and require food and facility inspections;

(2) Extend through September 30, 1982 the Secretary of Agriculture's authority to purchase commodities; permit local schools to refuse to accept, and to substitute, up to 20% of commodities offered them; require the Secretary and the States to seek the advice of local schools on the types of commodities to be provided; authorize the Secretary to conduct pilot projects to determine the best methods of operating feeding programs; and authorize the Secretary to conduct a study (of the Kansas experience) to analyze the impact and effect of cash payments in lieu of commodities;

(3) Extend through September 30, 1980 the reservation of food service equipment assistance for schools with no food service program and schools without facilities to prepare and/or serve hot meals; and give priority in the apportionment of the unreserved funds to schools without programs and to schools without adequate facilities;

(4) Require the Secretary to approve competitive foods that may be offered;

(5) Provide a three-year authorization enabling the Secretary to make grants to State education agencies for a comprehensive nutrition information and education program. Grants to the States for this purpose will be based on a rate of 50 cents for each child enrolled in schools and institutions within the State, except that no State will receive less than $75,000 per year; and

(6) Contain provisions increasing reimbursements for breakfasts in severely needy schools; eliminating extra payment for milk; and reducing paperwork.

H.R. 12511 was reported by the Committee May 15, 1978 (House Report 95-1153). S. 3085, similar legislation, passed the Senate July 21, 1978; the House October 15, 1978; and became Public Law 95-627 on November 10, 1978.

The Child Nutrition Amendments of 1978 provide a permanent authorization for the child care food program and simplify the payment structure for participating institutions. Institutions in which two-thirds of the children qualify for free or reduced price meals will receive reimbursement payments prescribed for free meals; those in which between one-third and two-thirds qualify will receive reimburse-

ment for reduced price meals; and those in which fewer than one-third qualify will receive reimbursement at rates for paid meals. However, institutions may elect to receive reimbursement on an individual income eligibility basis. Group and family day care homes will receive flat payments for food and labor costs, for administrative costs up to a level prescribed by the Secretary of Agriculture, start-up and advance payments. Eligibility is broadened to include institutions receiving funds under title XX of the Social Security Act. The Secretary is required to study program operations, including the problems of licensing. Such sums as may be necessary are authorized, with $6 million reserved for equipment assistance.

Public Law 95-627 also extends authority for the special supplemental food program for women, infants and children (WIC) providing an entitlement of $550 million for fiscal year 1979 and $800 million for 1980, and authorizing $900 million for 1981 and $950 million for 1982. Program eligibility is limited to persons determined to be at nutritional risk and whose family income is below 195% of the poverty level; the nutrition education component of the program is strengthened; provisions are included aimed at facilitating the participation of migrants; commodity donations are authorized; and funds are reserved for program evaluation.

Other amendments include authority for adjusting the commodity donation rate in accordance with changes in the wholesale price index; a reimbursement rate for reduced price lunches 20 cents below the rate for free lunches, except for those States whose schools uniformly charge less than 20 cents per meal; mandating the Secretary to study the feasibility and cost of requiring schools to offer a choice of menu items; authority for adjusting the reimbursement rate for the special milk program on the basis of the wholesale price index; elimination of the requirement that schools serving both breakfast and lunch account for each program separately; authorization of $75 million for each fiscal year for food service equipment assistance; increases in equipment assistance to schools using such assistance to institute breakfast programs; authority for pilot projects to determine the feasibility of providing free lunches to all children regardless of family income level; and increases in amounts and changes relating to allocation of funds to meet administrative costs, including reservation of 20% of WIC appropriations for separate grants to the States.

Objection to Consolidating Certain Education Advisory Councils

H.Res. 1072 was reported by the Committee May 10, 1978 (House Report 95-1128) and passed the House May 22, 1978. H.Res. 1072 expresses the objection of the House of Representatives to the Commissioner of Education's proposal to consolidate certain statutorily created education advisory councils: the National Advisory Council on Equality of Educational Opportunity with the National Advisory Council on the Education of Disadvantaged Children; and the Community Education Advisory Council and the National Advisory Council on Adult Education with the National Advisory Council on Vocational Education.

Prohibition of Sex Discrimination Based on Pregnancy

H.R. 6075 was reported by the Committee March 13, 1978 (House Report 95-948) and passed the House on July 18, 1978. The Senate passed similar legislation, S. 995, September 16, 1977. This legislation became Public Law 95-555 on October 31, 1978.

Public Law 95-555 amends title VII of the Civil Rights Act to clarify that the prohibitions against sex discrimination contained in the Act include discrimination based on pregnancy, child birth and related medical conditions. The Act provides, however, that with respect to the payment of fringe benefits, employers are not required to provide health insurance benefits for abortions unless the abortion is necessary to preserve the life of the mother or in cases of medical complications therefrom.

The Act further provides that employers, for a period of one year after enactment, or until the expiration of any applicable collective bargaining agreement, may not reduce existing fringe benefits as a means of complying with the Act. If, however, employees and their employer share the cost of existing benefits, the costs involved in achieving compliance may be apportioned as well. Benefits may be altered at any time for reasons unrelated to compliance.

These provisions became effective upon enactment, except that with regard to existing fringe benefit plans, the effective date is 180 days after enactment.

Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978

H.R. 12467 was reported by the Committee May 13, 1978 (House Report 95-1149); passed the House May 16, 1978; the Senate September 21, 1978; and was signed by the President November 6, 1978 (Public Law 95-602).

The 1978 Amendments extend the authorization for programs carried out under the Rehabilitation Act through September 30, 1982, and broaden the scope of services provided as follows.

For fiscal year 1979, $808 million is authorized for the basic State grant program. Authorization levels for future years will be based on changes in the Consumer Price Index, except that in fiscal year 1980, not more than $880 million may be appropriated, in 1981, not more than $945 million, and in 1982, not more than $972 million. Effective October 1, 1978, fifty percent of funds in excess of those made available in fiscal year 1978 will be allocated to the States based on the existing formula but without squaring the State per capita income factor. All other funds are to be allocated on the existing formula. The minimum State allotment is increased to one-third of one percent or $3 million, whichever is greater.

For innovation and expansion grants, $45 million is authorized in fiscal year 1979, $50 million in 1980, $55 million in 1981 and $60 million in 1982. For training activities, $34 million is authorized in 1979, $40 million in 1980, $45 million in 1981 and $50 million in 1982. New authority is provided for up to twelve programs to train in-

terpreters for the deaf, and the Commissioner is required to develop a long-term manpower plan.

Public Law 95-602 contains other new initiatives:

(1) Establishes within the Department of Health, Education, and Welfare a National Institute of Handicapped Research, which is to be responsible for directing and coordinating all research activities, developing new research initiatives, and developing a national research plan. A number of new research and demonstration programs are authorized, including a program relative to the use of existing telecommunications systems which have potential for improving service delivery methods; a program of joint projects with other federal agencies and private industry; a program relative to rehabilitation of handicapped children and older persons; a program relative to attracting professionals to serve in rural areas; a project to assess the feasibility of establishing a center to produce and distribute captioned video cassettes to deaf persons; a program to develop innovative methods of providing services to preschool age handicapped children; and a program relative to evaluating and developing the employment potential of handicapped persons. For the expenses of the Institute, such sums as may be necessary are authorized. For research activities, $50 million is authorized in fiscal year 1979, $75 million in 1980, $90 million in 1981 and $100 million in 1982.

(2) Establishes within the Department of Health, Education, and Welfare a National Council on the Handicapped, which will be responsible for reviewing the operations of the Rehabilitation Services Administration and the National Institute of Handicapped Research and for setting general policies;

(3) Authorizes the establishment of comprehensive rehabilitation centers to serve as the focal point for delivery of services in local communities. A broad range of services is authorized including information and referral, counseling, job placement, health, education, social and recreational services. Information and technical assistance is also available to local governments to help them comply with the provisions of the Act. The federal share will be 80% of the cost of such programs.

(4) Authorizes a community service employment pilot program, to be administered by the Department of Labor, to provide employment in projects contributing to the general welfare of the community for persons referred by the State rehabilitation agency. The federal share will be 90% of the cost, except that for emergency or disaster projects or for projects located in economically depressed areas, the federal share will be 100%. For such purposes $35 million is authorized in fiscal year 1979, $50 million in 1980, $75 million in 1981 and $100 million in 1982. Financial assistance is also authorized for special agreements with individual employers for jointly financed projects providing on-the-job training, employment opportunities and supportive services to the handicapped, and for assistance to handicapped persons for establishment and operation of small businesses.

(5) Authorizes grants to Indian tribes on federal and State reservations for the provision of basic services;

(6) Authorizes special programs for interpreter services for the deaf, for reading services for the blind, for migrant and seasonal farmworkers, and for recreation;

(7) Authorizes comprehensive services for persons with disabilities so severe they do not have potential for employment but would benefit from services enabling them to live and function independently, including centers for independent living and services for older blind persons. For such purposes, $80 million is authorized in 1979, $150 million in 1980, $200 million in 1981, and such sums as may be necessary in 1982.

Other amendments include: provision for three-year planning periods; removal of the number restriction on client assistance projects; provisions designed to strengthen the Architectural and Transportation Barriers Compliance Board; authorization of special research and demonstration projects to address the multiple and interrelated needs of the elderly, the handicapped, children, youth, adults and families; provision requiring States to establish information and referral programs; provision authorizing establishment of stystems to protect and advocate the rights of the severely handicapped; provision authorizing the awarding of attorney's fees to the prevailing party in a court action; and studies of the special needs and problems of handicapped persons in rural areas and relative to disincentives to employment.

Tribally Controlled Community College Assistance Act of 1978

H.R. 9158 was reported by the Committee September 11, 1978 (House Report 95-1558) and passed the House September 26, 1978. The Senate passed similar legislation, S. 1215, November 4, 1977. This bill was signed by the President October 17, 1978 (Public Law 95-471).

Title I of Public Law 95-471 authorizes $25 million each for fiscal years 1980 and 1981 and $30 million for fiscal year 1982 for grants to operate and improve community colleges formally controlled or sanctioned by the governing body of an Indian tribe. An additional $3.2 million is authorized for each such fiscal year for technical assistance.

To be eligible for assistance, a college must have a governing body a majority of which is Indian; have demonstrated adherence to a philosophy directed at meeting the needs of Indians; and if in operation for more than one year, have a majority of Indian students.

Furthermore, the Secretary of Interior is directed to determine the reasonable number of students required to support a tribally controlled college, taking into consideration tribal and cultural differences, isolation, alternate education sources, and proposed curriculum. And, within thirty days after a request by an Indian tribe, he is directed to conduct a feasibility study to determine whether the college will serve a reasonable student population.

Grants will go into the general operating fund of the institution to defray the cost of education programs; will equal $4,000 per full-time equivalent Indian student, except that no grant may exceed the total annual cost of the education program; are limited to no less than eight nor more than fifteen in the first year. Priority will be given to institutions in operation on the date of enactment and which have a history of service to the Indian people.

The Secretary is directed to report to the Congress, not later than 90 days after enactment, on the existing and planned facilities of tribally controlled colleges, and not later than November 1, 1979, on the facilities needs of such colleges.

Title II amends the Navajo Community College Act to require the Secretary to report to the Congress, not later than August 1, 1979, on the facilities needs of the College; to authorize, for the purpose of making construction grants, such sums as are necessary for fiscal years 1980, 1981, and 1982; and to authorize, for operation and maintenance of the College, an amount equal to $4,000 for each full-time equivalent student for any fiscal year beginning on or after October 1, 1979.

Vocational Education Technical Amendments

H.R. 3437, making certain technical corrections and other miscellaneous amendments to title II of the Education Amendments of 1976 (Public Law 94-482), was reported by the Committee March 17, 1977 (House Report 95-86); passed the House March 22, 1977; passed the Senate May 16, 1977; and was signed by the President June 3, 1977 (Public Law 95-40).

White House Conferences on the Arts and the Humanities

H.J.Res. 649 was reported by the Committee on February 17, 1978 (House Report 95-887); passed the House February 21, 1978; passed the Senate April 18, 1978; and was signed by the President May 3, 1978 (Public Law 95-272).

Public Law 95-272 directs the President to convene a White House Conference on the Arts and a White House Conference on the Humanities, both to be held in Washington, D. C. not later than December 31, 1979, for the purpose of assessing the problems and issues relating to the arts and humanities, developing recommendations for growth in all parts of the Nation, and thus developing a climate in which the arts and humanities can flourish.

The President is to appoint National Conference Planning Councils to plan and conduct the two Conferences. The Councils are to report to the President and the Congress on their respective Conferences within 180 days after the Conferences meet. The reports are to include recommendations for legislative action necessary to implement the recommendations of the Conferences.

The Planning Councils are also authorized to make grants, upon application by the State arts and humanities agencies, to assist in defraying the cost of State conferences to be held prior to the National Conferences. To qualify, States must assure broad and maximum public participation.

Such sums as are necessary for conducting the Conferences are authorized to be appropriated.

Finally, Public Law 95-272 amends the Education Amendments of 1974 to authorize the President to call a White House Conference on Education in 1980.

YOUTH CAMP SAFETY ACT

H.R. 6761 was reported by the Committee May 13, 1977 (House Report 95-315). This legislation provided federal standards for the safe operation of youth camps; financial and technical assistance to encourage the States to develop and implement their own youth camp safety standards; and a mechanism for federal enforcement of national minimum standards in States not implementing their own standards and in federal recreational youth camps.

YOUTH EMPLOYMENT AND DEMONSTRATION PROJECTS ACT OF 1977

H.R. 6138 was reported May 13, 1977 (House Report 95-314); passed the House May 17, 1977; passed the Senate May 26, 1977; and was signed by the President August 5, 1977 (Public Law 95-93).

Public Law 95-93 added a new title VIII to the Comprehensive Employment and Training Act which established a Young Adult Conservation Corps to provide employment opportunities for young people on the Nation's public lands and waters. The Corps is administered by the Secretary of Labor through interagency agreements with the Secretaries of Interior and Agriculture. Enrollees are selected by the Secretaries of Interior and Agriculture from candidates referred by the Secretary of Labor. Membership in the Corps is limited to unemployed persons between the ages of 16 and 23 for a maximum of 12 months.

For Corps activities sums as necessary were authorized for fiscal years 1978, 1979 and 1980. (The Comprehensive Employment and Training Act Amendments, Public Law 95-524, extended authority for the Corps through September 30, 1982, and authorized $350 million for fiscal year 1979, $400 million for 1980, and such sums as necessary for 1981 and 1982.) Thirty percent of sums appropriated are earmarked for State and local components and are to be allocated on the basis of the total youth population in each State.

Public Law 95-93 also added a new Part C to title III of CETA which authorized a number of employment, training and demonstration programs the basic purpose of which is to test different ways of dealing with the unemployment problems of young people in different local contexts. Such programs include:

(1) Youth Incentive Entitlement Pilot Projects through which prime sponsors selected by the Secretary of Labor receive funds to demonstrate the effectiveness of guaranteeing employment and/or training to economically disadvantaged youth who are in school or who are willing to return to school to seek a high school diploma or its equivalency.

(2) Youth Community Conservation and Improvement Projects, carried out by project applicants approved by the Secretary of Labor, which are designed to provide employment, work experience, skill training, and opportunities for community service to youth ages 16-19 for a period not to exceed 12 months.

(3) Youth Employment and Training Programs designed to enhance the job prospects and career opportunities of young people. Employment, community service opportunities, training and supportive ser-

vices, such as counseling and occupational information, aimed at enabling participants to secure unsubsidized employment in the public and private sectors are authorized. Eligible participants are unemployed, underemployed or in-school youth ages 16-21 from low-income families. The Secretary of Labor may, however, prescribe regulations permitting youth ages 14-15 to participate, and ten percent of the funds may be used for programs which include youths from all economic backgrounds. Funds are earmarked for special Statewide youth services such as providing opportunities for youth under State supervision, providing labor market and occupational information to prime sponsors and local education agencies and carrying out model employment and training programs. Funds are also earmarked for programs for in-school youth, to be carried out pursuant to agreements between prime sponsors and local education agencies. And, the Secretary of Labor is authorized to carry out "innovative and experimental" programs to test new approaches for dealing with the unemployment problems of young people.

For Part C activities, sums as necessary were authorized for fiscal year 1978. (The Comprehensive Employment and Training Act Amendments of 1978 extended authority for these programs through September 30, 1982, in Part A of a new title IV of CETA.) Of sums appropriated, 15% are earmarked for Youth Incentive Entitlement Pilot Projects. Another 15% are earmarked for Youth Community Conservation and Improvement Projects, 75% of which are to be allocated to the States on the basis of their relative numbers of unemployed persons. The remaining 70% are available for Youth Employment and Training Programs, 75% of which are earmarked for prime sponsor programs on a formula basis.